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9/B
RD
10-5-99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian R. Murphy et al.

Application No.: 09/083,793

Filed: May 22, 1998

For: PRODUCTION OF ATTENUATED
PARAINFLUENZA VIRUS VACCINES
FROM CLONED NUCLEOTIDE
SEQUENCES

Examiner: M. Mosher

Art Unit: 1643

RESPONSE TO SPECIES ELECTION
REQUIREMENT



Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Office Communication dated April 23, 1999, which set forth the following proposed list of species and requirement for election therefrom:

1. Chimeric PIV comprising sequences from two different species of PIV
2. Chimeric virus comprising sequences from PIV and another paramyxovirus
3. Mutated PIV with attenuated phenotype
4. Mutated PIV with ts phenotype
5. Mutated PIV with cold-adapted phenotype
6. Mutated PIV with small plaque phenotype
7. Mutated PIV with host range phenotype

Second Preliminary Amendment

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200

Attorney Docket No. 17634-000320US

In re application of: Brian R. Murphy et al.

Date: September 23, 1999

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Washington, D.C. 20231

Group Art Unit: 1643

For: PRODUCTION OF ATTENUATED PARAINFLUENZA VIRUS VACCINES FROM CLONED NUCLEOTIDE SEQUENCES

Signed: _____

THE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith is a second preliminary amendment in the above-identified application.

- ☐ Enclosed is a petition to extend time to respond.
☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
☐

If any extension of time is needed, then this response should be considered a petition therefor.
The filing fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	*	MINUS	**	=
INDEP.	*	MINUS	***	=
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE		RATE	ADDIT. FEE
x =			x =	
x =			x =	
+ =			+ =	
TOTAL ADDIT. FEE		OR	TOTAL	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, then write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

☐ No fee is due.

Please charge Deposit Account No. 20-1430 as follows:

- ☐ Claims fee \$ _____
☒ Any additional fees associated with this paper or during the pendency of this application.

2 extra copies of this sheet are enclosed.

TOWNSEND and TOWNSEND and CREW LLP

Jeffrey J. King, Reg. No.: 38,515
Attorneys for Applicants